

Tuesday, December 08, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-16. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: requests a moment of silence for the victims in San Bernardino County. Further, opens the floor to public comment.

On motion by Supervisor Adam Hill, seconded by Bruce S. Gibson, to approve Consent Agenda Items 1 through 16, is discussed.

Supervisor Compton: requests Item No. 5 be pulled for a separate action.

The motion maker amends the motion to remove Consent Agenda Item No. 5 for separate action, with the second concurring.

The action taken for Consent Agenda items 1 through 4 and 6 through 16 on the following vote is indicated for each item.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Bid Opening:

- 1.** Letter transmitting plans and specifications (Clerk’s File) for Installation of Centerline Rumble Strips Countywide, for Board approval and advertisement for construction bids and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA) and authorize a budget adjustment in the amount of \$133,533, to increase the appropriation and associated funding for the Installation of Centerline Rumble Strips Project, Countywide. Bid opening date set for Thursday, January 7, 2016. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Airports Items:

- 2.** Request to award a consulting contract (Clerk’s File) to Earth Systems Pacific, for Special Inspection Services for the New Terminal Construction Project at the San Luis Obispo County Regional Airport in the amount of \$394,202. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

3. Request to approve Amendment No. 2 to the contract with Fidelity Information Services, Inc. (FIS) for Countywide Electronic Payment services extending the contract terms for an additional three years with two optional one-year contract extensions. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - County Fire Items:

4. Submittal of resolutions recognizing Battalion Chiefs Matt Jauregui, John Richardson, and Phill Veneris upon their retirement with CAL FIRE/San Luis Obispo County Fire Department. All Districts.

Ms. Linde Owen: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2015-319, 2015-320, and 2015-321, adopted.

Consent Agenda - Planning & Building Items:

6. Submittal of six resolutions approving new land conservation contracts for John Decker (AGP2013-00008) on Monte Cristo Place south of Cambria; Bradford Jones (AGP2013-00009) on Monte Cristo Place south of Cambria; Riboli Paso Robles, LLC (AGP2014-00016) on Almond Drive east of Atascadero; Ronald Denner (AGP2015-00002) on Adelaida Road west of Paso Robles; Green Gate Farms Edna Valley, LLC (AGP2013-00013) on Green Gate Road southeast of the City of San Luis Obispo; Green Gate Farms Edna Valley, LLC (AGP2013-00014) on Green Gate Road southeast of the City of San Luis Obispo; pursuant to the California Land Conservation Act of 1965. Class 17 categorical exemptions were issued for each application. Districts 1, 2, 3 & 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2015-322, 2015-323, 2015-324, 2015-325, 2015-326, and 2015-327, adopted.

7. Submittal of a resolution accepting an Avigation Easement from Margarita Ranch, SLO, LLC, a California Limited Liability Company, for the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-328, adopted.

Consent Agenda - Parks & Recreation Items:

8. Request to approve an amendment to the fixed asset list for Fund Center (FC) 427 – Golf to add three replacement HVAC units for Dairy Creek Golf Course in San Luis Obispo in the amount of \$20,000. District 2.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

9. Submittal of a resolution commending and thanking Frank Honeycutt for his 12 years of service with the County of San Luis Obispo. All Districts.

Supervisor Mecham: reads and presents the resolution to Mr. Honeycutt.

Mr. Honeycutt – Department of Public Works: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-329, adopted.

10. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of Parks - Cayucos – Restore Cayucos Pier; and request approval of Contract Change Order No. 5 in the amount of \$46,187.55. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-330, adopted.

11. Submittal of a resolution appointing one Director and one Alternate Director to the Los Osos Groundwater Basin Management Committee. District 2.

Mr. Jeff Edwards and Ms. Linde Owen: speak.

Mr. Tim McNulty – Assistant County Counsel: responds to Chairperson Arnold's questions and concerns.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-331, adopted.

12. Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from Freeport-McMoRan Oil & Gas, LLC for the Price Canyon Road Widening Project, San Luis Obispo (WBS 300464). District 3.

The Board approves as recommended by the County Administrative Officer.

13. Request to amend the Fiscal Year 2015-16 Fixed Asset List for Fund Center 405 – Public Works Internal Service Fund (ISF) to add the replacement of a crack seal machine at an estimated cost of \$46,000 and authorize disposal of the current damaged machine. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

14. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the 2014-15 Micro Surfacing Los Osos. District 2.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-332, adopted.

15. Request to approve a Cooperative Agreement with California Department of Transportation to prepare a project study report for the interchange at US Highway 101 and Main Street, Templeton. District 1.

The Board approves as recommended by the County Administrative Officer.

16. Request approval of Tract 2933, a proposed subdivision resulting in 6 lots by Quality Homes Renovation, Inc., that has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and reject the offer of dedication for Cayucos and Eddy Streets and public utility easements, in the community of Templeton. District 1.

The Board approves as recommended by the County Administrative Officer.

Pulled from the Consent Agenda - Health Agency Items:

5. Request to approve a new FY 2015-16 contract with Ever Well Health Systems, LLC not to exceed the cumulative amount of \$2,506,458 to provide residential board and care, social support, and outpatient mental health services to adults with serious mental illness. All Districts.

Mr. Jeff Hamm – Health Agency Director; Mr. Dan Buckshi – County Administrative Officer; and Ms.

Rita Neal – County Counsel: responds to Supervisor Compton’s questions and concerns regarding the agent to the contract who has filed bankruptcy.

Supervisor Compton: requests this item be pulled for a separate action.

The Board approves a new FY 2015-16 contract with Ever Well Health Systems, LLC not to exceed cumulative amount of \$2,506,458, to provide residential board and care, social support, and outpatient mental health services to adults with serious mental illness.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Public Comment Period:

17.
- This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Tommy Gong – County Clerk-Recorder: addresses candidate and argument filing deadlines for the Paso Robles Basin Water District.

Mr. Ben DiFatta: commends the Sheriff and Fire Chief for their outstanding efforts this year; and comments on the Los Osos Community Services District's General Manager.

Mr. Eric Greening: expresses various concerns relating to Laura's Law.

Dr. C. Hite: speaks to public advocacy.

Ms. Linde Owen: comments on partisanship and how it impacts County decisions.

Mr. Greg Grewal: outlines his concerns regarding the construction of Community Services Area (CSA) 16 Shandon Water Turnout Project (documents).

Mr. Richard Margetson: announces the 10th Annual Needs 'N Wishes Holiday Fundraiser on December 12, 2015 at the Los Osos South Bay Community Center (flyer). **No action taken.**

Presentations:

(Supervisor hill is now absent.)

18.
- Submittal of a resolution recognizing Community Action Partnership of San Luis Obispo County, Inc. (CAPSLO) on its 50th Anniversary. All Districts.

Ms. Biz Steinberg – CAPSLO: speaks.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-333, a resolution recognizing Community Action Partnership of San Luis Obispo County, Inc. on its 50th Anniversary, adopted.

Motion by: Lynn Compton
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
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Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

(Supervisor Hill is now present.)

19. Annual update on the First 5 Children and Families Commission for 2015 in San Luis Obispo County. All Districts.

Ms. Wendy Wendt – First 5 Children and Families Commission Executive Director: provides a powerpoint presentation. No action taken.

Board Business:

20. Request authorization to pursue an additional allocation of Nacimiento Project Water on behalf of County Service Area 10A (Cayucos). District 2.

Chairperson Arnold: opens the floor to public comment.

Mr. Ralph Russell: speaks.

The Board directs the Director of Public Works to: 1) initiate the process to acquire an additional allocation of Nacimiento Project Water on behalf of County Service Area 10A; 2) conduct the required analysis and prepare the necessary environmental document(s) pursuant to California Public Resources Code Section 21000 et seq. CEQA; 3) coordinate the process with the other Nacimiento participant agencies and potential new project participants; 4) prepare water management policies designed to match available water with existing General Plan/Local Coastal Plan policies; 5) prepare the necessary Water Delivery Entitlement Contract Amendment(s); and 6) return to the Board at the earliest available and appropriate date for consideration of the CEQA document(s), water management policies, and water entitlement contract changes.

Motion by: Frank R. Mecham

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

21. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (3) San Luis Obispo Government Attorney’s Union (SLOGAU); (4) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (5) Deputy County Counsel’s Association (DCCA); (6) Sheriffs’ Management; (7) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (8) Deputy Sheriff’s Association (DSA); (9) District Attorney Investigators’ Association (DAIA); (10) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (11) San Luis Obispo County Employees Association –

Public Services, Supervisors, Clerical (SLOCEA – PSSC); (12) Unrepresented Management and Confidential Employees; and (13) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (14) Consider the Public Employee Annual Performance Evaluation for the Position of County Administrative Officer.

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

Hearings

22. Hearing to adopt the Annual Road Improvement Fee Reports for the fee areas of Los Osos, North Coast and San Miguel. Districts 1 and 2.

Chairperson Arnold: opens the floor to public comment without response.

The Board receives the 2015 Road Improvement Fee Reports; and RESOLUTION NO. 2015-334, a resolution continuing the road improvement fee for all developments within portions of the Estero Planning Area of the County of San Luis Obispo, and adopting the required annual update; RESOLUTION NO. 2015-335, a resolution continuing the road improvement fee for all developments within the North Coast Planning Area of the County of San Luis Obispo, and adopting the required annual update; and RESOLUTION NO. 2015-336, a resolution continuing the road improvement fee for all development within the San Miguel Road fee area of the County of San Luis Obispo, and adopting the required annual update, adopted.

Motion by: Frank R. Mecham

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Board Business:

23. Presentation of the General Plan Annual Progress Report for Fiscal Year 2014-15. All Districts.

Chairperson Arnold: opens the floor to public comment without response and receives and files the report.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, December 08, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: December 10, 2015